IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

MACA.No. 856 of 2006(G)

OPMV.2269/2000 of MOTOR ACCIDENT CLAIMS TRIBUNAL, THRISSUR

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APPELLANT/PETITIONER:

DEVASSY, S/O. KOCHUVAREED,
ARIKKODAN HOUSE, VARAKKARA P.O., MANGALAM THANDU.

BY ADV. SRI.SHEJI P.ABRAHAM

RESPONDENTS: RESPONDENTS:

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1. K.V. SULEKHA, W/O. SUKUMARAN,
KARATTU HOUSE, THRISSUR. (DELETED)

2. THE UNITED INDIA INSURANCE CO. LTD.,
KURUPPAM ROAD, PRASADENT BAZAR, THRISSUR.

(R1 DELETED FROM THE PARTY ARRAY AT THE RISK OF THE PETITIOENR AS PER ORDER DATED 24.5.07 IN I.A.748/2007)

BY ADV. SRI.S.MAMMU (FOR R2)

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.PADMANABHAN NAIR, J.
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M.A.C.A. No. 856 OF 2006

Dated this the 1st day of June, 2007
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JUDGMENT

The claimant in O.P.(M.V). 2269/2000 is the appellant. Heard Admitted. Insurer took notice. The appeal itself is heard and disposed of as agreed to by both sides. The appellant/petitioner met with an accident when he was travelling in an autorikshaw at 9.30 a.m. on 9.7.2000. He is stated to be a coolie worker. He produced a disability certificate which shows that he sustained 16% disability. The Tribunal considered this aspect and held that since the percentage of disability fixed with respect to a particular lower limb the all body disability would be 50%. Sixteen is taken as the multiplier. After considering all aspects, the Tribunal awarded Rs.57,800/- as compensation. I have carefully gone through the award passed by the Tribunal. I do not find any reason to enhance the compensation awarded. There is no merit in the appeal and it is only to be dismissed.

In the result, the appeal is dismissed.

K.PADMANABHAN NAIR
JUDGE.

bkn